PTO/SB/21 (08-00) Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Under the Pape 09/696,693 Application Number TRANSMITTAL October 25, 2000 Filing Date **FORM** William Fitzpatrick, et First Named Inventor Group Art Unit 2161 (to be used for all correspondence after initial filing) Not yet assigned **Examiner Name** 11 Total Number of Pages in This Submission Attorney Docket Number 4797-30 **ENCLOSURES** (check all that apply) After Allowance Communication Assignment Papers Fee Transmittal Form (for an Application) Appeal Communication to Board Fee Attached Drawing(s) of Appeals and Interferences Appeal Communication to Group Licensing-related Papers Amendment / Reply (Appeal Notice, Brief, Reply Brief) Petition After Final Proprietary Information Petition to Convert to a Affidavits/declaration(s) Provisional Application Status Letter Power of Attorney, Revocation Change of Correspondence Other Enclosure(s) (please Extension of Time Request identify below): Statement under 37 C.F.R. §3.73(b); **Terminal Disclaimer** Declaration of ownership pursuant to 37 Express Abandonment Request C.F.R. §2.20; Certificate of amendment Request for Refund from Delaware Secretary of State; Incumbency certificate; Request to Information Disclosure Statement CD, Number of CD(s). change attorney docket number; Return receipt postcard. Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Leslie Gladstone Restaino, Reg. No. 38,893 Individual name Signature

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:  October 10, 2001			
Typed or printed name	Joyce Sapjeta		
Signature	Joyce Sasseta	Date	10/10/2001

Date

10/10/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete / Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

William Fitzpatrick, et al.

Group Art Unit:

2161

Serial No.:

09/696,693

Examiner:

Not yet assigned

Filed:

October 25, 2000

Attorney Docket No.: For:

4797-30

RECEIVED

September 13, 2001

Assistant Commissioner for Patents

Washington, D.C. 20231

OCT 1 7 2001

SYSTEM FOR PROVIDING FINANCIAL SERVICES

Technology Center 2100

# REQUEST TO CHANGE ATTORNEY DOCKET NUMBER

Applicants request a change of the attorney docket number in this application from 4034-48 to 4797-30.

Respectfully submitted,

Leslie Gladstone Restaino

Reg. No. 38,893

Attorney for Applicants

BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP

55 Madison Avenue

Morristown, New Jersey 07960

(973) 285-3242

ED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

William Fitzpatrick, et al.

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Not yet assigned

Filed:

October 25, 2000

Docket No.

4797-30

For:

SYSTEM FOR PROVIDING FINANCIAL SERVICES

55 Madison Avenue Morristown, NJ 07960 September 28, 2001

Assistant Commissioner for Patents Washington, D.C. 20231

# POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST

Sir:

UBS PaineWebber Inc., a Delaware corporation, as assignee of record of the entire interest of the above patent application, U.S. Serial No. 09/696,693, hereby revokes all power of attorney previously given.

The following attorneys are hereby appointed with full power of substitution and revocation to prosecute and transact all business in the Patent and Trademark Office connected therewith: Leslie Gladstone Restaino, Reg. No. 38,893; Seth H. Ostrow, Reg. No. 37,410; Frank J. DeRosa, Reg. No. 26,543 and Ralph F. Hoppin, Reg. No. 38,494 of the firm Brown Raysman Millstein Felder & Steiner, LLP, 55 Madison Avenue, Suite 400, Morristown, New Jersey 07960, (973) 285-3222.

Direct all correspondence to:

Leslie Gladstone Restaino, Esq. Brown Raysman Millstein Felder & Steiner LLP 55 Madison Avenue Morristown, NJ 07960

Direct all telephone calls to (973) 285-3242.

The assignment of U.S. Serial No. 09/696,693 to PaineWebber Incorporated was recorded in the U.S. Patent and Trademark Office on October 25, 2000 at Reel 011296, Frame 0341.

Attached to this power of attorney is a Statement under 37 C.F.R. §3.73.

John J. Burke, Esq.
Associate General Counsel
UBS PaineWebber Inc.

In re Application of:

William Fitzpatrick, et al.

Group Art Unit:

2161

Serial No.:

09/696,693

Examiner:

Not yet assigned

Filed:

October 25, 2000

Docket No.

4797-30

For:

SYSTEM FOR PROVIDING FINANCIAL SERVICES

AECENED TOO TECHNOLOGY CENTER 2100

55 Madison Avenue Morristown, NJ 07960 September 7, 2001

Assistant Commissioner for Patents Box Assignments Washington, D.C. 20231

# STATEMENT UNDER 37 C.F.R. §3.73(b)

#### Sir or Madam:

UBS PaineWebber, a Delaware corporation, states that it is:

- 1. [  $\checkmark$  ] the assignee of the entire right, title, and interest; or
- 2. [ ] an assignee of an undivided part interest in the above-identified patent application by virtue of either:
  - A. [ ] an assignment from the inventor(s) of the patent application identified above.

    The assignment was recorded in the Patent and Trademark Office at Reel

    Frame , or for which a copy thereof is attached.

OR

- B. [ ] a chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
  - 1. From: to:
    The document was recorded in the Patent and Trademark Office at Reel , or for which a copy thereof is attached.
  - From: to:
     The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ✓ ] Copies of assignments or other documents in the chain of title are attached. The above-mentioned assignee hereby further states that it has all rights to take action in this matter.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date: 911001

Signature

John J. Burke

Name

Associate General Counsel

Title



Assistant Commissioner of Patents Box Assignments Washington, D.C. 20231



# **DECLARATION OF OWNERSHIP PURSUANT TO 37 CFR § 2.20**

- 1. I, John J. Burke, hereby declare that I am an Associate General Counsel for UBS PaineWebber Inc. ("UBS PaineWebber").
- 2. UBS PaineWebber was formed pursuant to a merger agreement between UBS AG ("UBS") and Paine Webber Group Inc. PaineWebber Incorporated ("PaineWebber") was a wholly owned subsidiary of Paine Webber Group Inc. UBS PaineWebber filed a Certificate of Amendment of Certificate of Incorporation, which is attached hereto, on March 5, 2001, with the Delaware Secretary of State to reflect the corporate name change.
- 3. UBS PaineWebber, a Delaware corporation with offices at 1200 Harbor Blvd. Weehawken, New Jersey 07087, has acquired all right, title and interest in and to all assets and liabilities of PaineWebber, including all patents, trademarks and other intellectual property of PaineWebber. A list of patent applications currently filed with the U.S. Patent Office is attached hereto as Exhibit A.
- 4. The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Dated: September 6, 2001

Associate General Counsel

# OT 12 2001 AS

# State of Delaware Office of the Secretary of State

PAGE

AECENED COME TOO

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "PAINEWEBBER INCORPORATED", CHANGING ITS NAME FROM "PAINEWEBBER INCORPORATED" TO "UBS PAINEWEBBER INC.", FILED IN THIS OFFICE ON THE FIFTH DAY OF MARCH, A.D. 2001, AT 9 O'CLOCK A.M.



Warriet Smith Windson, Secretary of State

AUTHENTICATION: 1245744

DATE: 07-16-01

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STATE OF DELAWARE SECRETARY OF STATE DIVISION OF CORPORATIONS FILED 09:00 AM 03/05/2001 010107716 - 0719006

# CERTIFICATE OF AMENDMENT OF CERTIFICATE OF INCORPORATION

**OF** 

### PAINEWEBBER INCORPORATED

It is hereby certified that:

- 1. The name of the corporation (hereinafter called the "corporation") is PaineWebber Incorporated.
- 2. The certificate of incorporation of the corporation is hereby amended by striking out Article I thereof and by substituting in lieu of said Article I the following new Article I:

## ARTICLE I

NAME

The name of the corporation is:

UBS PaineWebber Inc.

3. The amendment of the certificate of incorporation herein certified has been duly adopted and written consent has been given in accordance with the provisions of Sections 141, 228 and 242 of the General Corporation Law of the State of Delaware.

Signed on March 5, 2001

Goraldine L. Banyai, Corporate Vice President

Attect:

Richard P. Borovoy, Assistant Secretary



### UBS PAINEWEBBER INC.

# Incumbency Certificate

I, Richard P. Borovoy, Assistant Secretary of UBS PaineWebber Inc., a Delaware corporation (the "Company"), DO HEREBY CERTIFY as follows:

The below-named person has been duly elected, has duly qualified and at all subsequent times to and including the date hereof, has been an officer of the Company, holding the office set opposite his name, and the signature below set opposite his name is his genuine signature or true facsimile thereof:

Name

Office

John J. Burke

Corporate Vice President

t my hand and affixed the seal of the

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of the Corporation this 19<sup>th</sup> day of March, 2001.

Assistant Secretary